IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 11TH DECEMBER 2006 / 20TH AGRAHAYANA 1928

Bail Appl..No. 7245 of 2006()

CMP.4367/2006 of J.M.F.C.,RANNI
CRIME NO.36/2006 OF MOOZHIYAR POLICE STATION

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PETITIONERS/ACCUSED NO.1 & 2

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1. MANOJ, AGED 26 YEARS, S/O. RAJAN,
   PALACKAL HOUSE, PANJIPPARA, ANGAMOOZHI,
   CHITTAR.

2. DIJESH, AGED 26 YEARS, S/O. MOHANAN,
   PALAVILAYIL HOUSE, ANGAMOOZHY, CHITTAR.

BY ADV. SRI.V.SETHUNATH

RESPONDENTS: COMPLAINANT & STATE

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1. THE SUB INSPECTOR OF POLICE,
   MOOZHIYAR POLICE STATION.

2. STATE OF KERALA, REPRESENTED BY THE
   PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application NO.7245 of 2006

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Dated this the 11th day of December, 2006.

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioners who is accused Nos. 1 and 2 in Crime No.36 of 2006 of Moozhiyar Police Station for offences punishable under Sec. 8(1) and (2) of the Abkari Act for having been found in possession of 20 liters of illicit arrack seek their enlargement on bail.

2. I heard the learned counsel for the petitioners and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioners and the other circumstances of the case etc., I am inclined to grant bail to the petitioners. Accordingly, the petitioners are directed to be released on bail on each of them executing a bond for Rs. 20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M., Ranny and subject to the following conditions:

1. Petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioners shall not influence or intimidate

the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

3. The petitioners shall not commit any offence while on bail.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,
JUDGE.

ess 11/12